

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
FIFTY-SEVENTH LEGISLATURE

TWENTY-THIRD LEGISLATIVE DAY
TUESDAY, JANUARY 28, 2003

Senate Chamber

President Risch called the Senate to order at 11 a.m.

Roll call showed all members present except President Pro Tempore Geddes and Senators Bunderson, Noble, Schroeder, Stegner, and Stennett, absent and excused.

Prayer was offered by Chaplain Gene Arnold.

The Pledge of Allegiance was led by Toby Rood, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senator Stennett was recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 27, 2003, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

President Pro Tempore Geddes and Senators Bunderson, Noble, Schroeder, and Stegner were recorded present at this order of business.

January 28, 2003

The JUDICIARY AND RULES Committee reports that **S 1028, S 1029, S 1030, S 1031, S 1032, S 1033, and S 1034** have been correctly printed.

DARRINGTON, Chairman

S 1028, S 1029, S 1030, S 1031, S 1032, S 1033, and S 1034 were referred to the Judiciary and Rules Committee.

January 27, 2003

The STATE AFFAIRS Committee reports out **H 55** with the recommendation that it do pass.

SORENSEN, Chairman

H 55 was filed for second reading.

January 27, 2003

The STATE AFFAIRS Committee reports out **H 54** with the recommendation that it do pass and with the recommendation that it be placed on the Consent Calendar.

SORENSEN, Chairman

H 54 was filed for second reading.

January 27, 2003

The JUDICIARY AND RULES Committee reports out **S 1002** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

DARRINGTON, Chairman

There being no objection, **S 1002** was referred to the Fourteenth Order of Business, General Calendar.

January 27, 2003

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Ruthie Johnson to the Idaho Commission on Human Rights, term to expire July 1, 2005;

William A. Swift to the Idaho Commission on Human Rights, term to expire July 1, 2005.

SORENSEN, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

January 27, 2003

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 74, H 75, H 77, H 79, and H 80** with the recommendation that they do pass.

BUNDERSON, Chairman

H 74, H 75, H 77, H 79, and H 80 were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

January 27, 2003

Mr. President:

I transmit herewith **HCR 8, H 90, H 31, H 53, HCR 9, and H 91** which have passed the House.

JUKER, Chief Clerk

HCR 8, H 90, H 31, H 53, HCR 9, and H 91 were filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1035

BY LOCAL GOVERNMENT AND TAXATION COMMITTEE

AN ACT

RELATING TO WATER AND SEWER DISTRICTS;
AMENDING SECTION 42-3209, IDAHO CODE, TO
INCREASE THE COMPENSATION FOR BOARD OF
DIRECTORS MEMBERS OF WATER AND SEWER
DISTRICTS.

S 1035 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

HCR 8, by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

H 90 and **H 91**, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

H 31 and **H 53**, by Mr. Speaker, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

HCR 9, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Cameron, granted by unanimous consent, **S 1024** was recommitted to the Finance Committee.

S 1005 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sweet arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Brandt, Bunderson, Burkett, Burtenshaw, Cameron, Compton, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Noh, Pearce, Richardson, Schroeder, Sorensen, Stegner, Stennett, Sweet, Werk, Williams. Total - 34.

NAYS--None.

Absent and excused--Calabretta. Total - 1.

Total - 35.

Whereupon the President declared **S 1005** passed, title was approved, and the bill ordered transmitted to the House.

S 1006 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sweet arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Brandt, Bunderson, Burkett, Burtenshaw, Calabretta, Cameron, Compton, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Noh, Pearce, Richardson, Schroeder, Sorensen, Stegner, Stennett, Sweet, Werk, Williams. Total - 35.

Whereupon the President declared **S 1006** passed, title was approved, and the bill ordered transmitted to the House.

S 1007 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sweet arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Brandt, Bunderson, Burkett, Burtenshaw, Calabretta, Cameron, Compton, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Noh, Pearce, Richardson, Schroeder, Sorensen, Stegner, Stennett, Sweet, Werk, Williams. Total - 35.

Whereupon the President declared **S 1007** passed, title was approved, and the bill ordered transmitted to the House.

S 1008 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sweet arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Brandt, Bunderson, Burkett, Burtenshaw, Calabretta, Cameron, Compton, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Noh, Pearce, Richardson, Schroeder, Sorensen, Stegner, Stennett, Sweet, Werk, Williams. Total - 35.

Whereupon the President declared **S 1008** passed, title was approved, and the bill ordered transmitted to the House.

S 1022 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Brandt, Bunderson, Burkett, Burtenshaw, Calabretta, Cameron, Compton, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Noh, Pearce, Richardson, Schroeder, Sorensen, Stegner, Stennett, Sweet, Werk, Williams. Total - 35.

Whereupon the President declared **S 1022** passed, title was approved, and the bill ordered transmitted to the House.

S 1009 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Brandt, Bunderson, Burkett, Burtenshaw, Calabretta, Cameron, Compton, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Noh, Pearce, Richardson, Schroeder, Sorensen, Stegner, Stennett, Sweet, Werk, Williams. Total - 34.

NAYS--None.

Absent and excused--Ingram. Total - 1.

Total - 35.

Whereupon the President declared **S 1009** passed, title was approved, and the bill ordered transmitted to the House.

S 1025 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Brandt, Bunderson, Burkett, Burtenshaw, Calabretta, Cameron, Compton, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, McWilliams, Noble, Noh, Pearce, Richardson, Schroeder, Sorensen, Stegner, Stennett, Sweet, Werk, Williams. Total - 34.

NAYS--None.

Absent and excused--Ingram. Total - 1.

Total - 35.

Whereupon the President declared **S 1025** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 11:55 a.m. until the hour of 11 a.m., Wednesday, January 29, 2003.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary